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OFFICE OF PETITIONS

In re Application of
Brent Anderson
Application No. 10/661,684
Filed: September 11, 2003
Attorney Docket No. 113937-011

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed on September 27, 2006, to revive the above-identified application. The delay in responding is regretted.

The petition is **DISMISSED**.

The application became abandoned for failure to respond to the non-final Office action mailed September 14, 2005. A Notice of Abandonment was mailed on April 21, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lacks item(s) (1).

In response to the non-final Office action mailed on September 14, 2005, the Office acknowledges receipt of an amendment to the claims and specification filed on September 27, 2006. However, the Examiner objected to the drawings filed September 11, 2003. Further, the Examiner states that the drawings will not be held in abeyance and that corrected drawings in compliance with 37 CFR 1.121 are required to avoid abandonment of the above application.

It is noted that petitioner states, in the present petition, that replacement drawings are being submitted herewith. Unfortunately, the Office failed to receive those replacement drawings and

the above application will remain abandoned until replacement drawings in compliance with 37 CFR 1.121 have been received.

The Revocation and Power of Attorney filed on September 27, 2006, has been accepted and made of record.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is **(571) 273-8300**.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.


Andrea Smith
Petitions Examiner
Office of Petitions



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UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/661,684	09/11/2003	Brent Anderson	113937-011

43793

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CONFIRMATION NO. 7356



OC000000026046880

Date Mailed: 09/27/2007

NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/27/2006.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199

ATTORNEY/APPLICANT COPY